



UNITED STATES PATENT AND TRADEMARK OFFICE

94m  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,877	08/06/2001	Wen-Tsang Liu	DF-00200	9754

28960 7590 02/28/2003

HAVERSTOCK & OWENS LLP  
162 NORTH WOLFE ROAD  
SUNNYVALE, CA 94086

EXAMINER

BERCK, KENNETH A

ART UNIT	PAPER NUMBER
----------	--------------

2879

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/923,877

Applicant(s)

WEN-TSANG LIU

Examiner

Ken A Berck

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

<sup>20</sup> *AW 2/24/03*  
Claims 1 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong (US 5,329,203) in view of Okamoto et al. (US 6,040,973) and Yamano et al. (US 4,767,965).

Regarding claims 1, 9 and 13, Jeong discloses (fig 4) a cold cathode fluorescent flat lamp with an enclosure chamber sealed by two plates containing gas, an anode and a cathode disposed in the chamber with the cathode parallel to the anode, an auxiliary anode disposed between the anode and cathode attached to a surface of either plate.

Regarding claim 8 and 19, Jeong discloses a fluorescent substance coated on each surface of the plates.

Regarding claim 20, Jeong discloses the inclined angle between the inclined fringe and main body is ranged from 0 to 90 degrees.

Jeong fails to clearly point out the auxiliary anode being parallel to the cathode, a circuit board, the electrodes being made of nickel, and the gas being an inert gas or mercury gas at a pressure from 3 to 200 torr.

Okamoto discloses (fig 9) an auxiliary anode parallel to the cathode in order to control emission and a circuit board in order to control the voltage to the electrodes.

Art Unit: 2879

Okamoto fails to clearly point out the electrodes being made of nickel, and the gas being an inert gas or mercury gas at a pressure from 3 to 200 torr.

Regarding claims 2-7, 10-12 and 14-18, Yamano discloses the electrodes being made of nickel, and the gas being an inert gas or mercury gas at a pressure from 3 to 200 torr in order to discharge electrodes without heating.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the lamp of Jeong with the auxiliary anode parallel to the cathode in order to control emission and a circuit board in order to control the voltage to the electrodes, as taught by Okamoto and the electrodes being made of nickel, and the gas being an inert gas or mercury gas at a pressure from 3 to 200 torr in order to discharge electrodes without heating, as taught by Yamano.

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken A Berck whose telephone number is (703)305-7984. The examiner can normally be reached on Mon-Fri 8:30-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703)305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7382 for regular communications and (703)308-7382 for After Final communications.

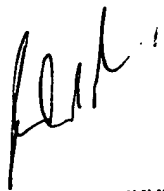
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Application/Control Number: 09/923,877

Page 4

Art Unit: 2879

kab   
February 24, 2003

  
**NIMESHKUMAR D. PATEL**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**